

REMARKS

The following communication is responsive to an Office Action mailed on December 27, 2007 and requesting the election of a group. In this Office Action, the Examiner argued that claims 1-21 as filed correspond to nine distinct inventions as represented by Groups I-IX as follows:

Group I (claims 1-4, 7, and 17-19), drawn to an immunostimulatory peptide;

Group II (claims 5 and 6), drawn to a method of preventing/treating HIV-1 infection by administering an immunostimulatory peptide;

Group III (claims 8 and 9), drawn to a vector comprising a nucleic acid encoding an immunostimulatory peptide;

Group IV (claim 10), drawn to a method of preventing/treating HIV-1 infection by administering a vector comprising a nucleic acid encoding an immunostimulatory peptide;

Group V (claims 11 and 12), drawn to a method for assessing immune function in a subject;

Group VI (claims 11 and 12), drawn to a method for diagnosing HIV-1 infection in a subject;

Group VII (claims 13-16), drawn to a fusion protein.

Group VIII (claim 20), drawn to a pharmaceutical composition comprising a peptide-pulsed dendritic cell; and

Group IX (claim 21), drawn to a pharmaceutical composition comprising a transduced dendritic cell.

Applicants hereby elect to prosecute the claims of Group I (claims 1-4, 7, and 17-19). If Group I is elected, Applicants are also entitled to elect a single method of use from one of Groups II, V, and VI. Applicants herewith elect Group II (claims 5 and 6). Applicants elect without traverse.

Claims 8-16 and 20-21 are canceled herewith as being drawn to non-elected groups. The cancellation of these claims is in no way an admission that the claims are drawn to

non-patentable subject matter. Applicants expressly reserve the right to pursue any canceled or withdrawn subject matter in later filed related applications.

AMENDMENTS

Applicants have amended claims 1, 3, 7, and 18 to correct typographical errors and for clarity.

Applicants have added new claims 22 to 38.

Support for new claims 22-25 can be found, e.g., in claims 13-16 as originally filed. Further support for claims 22-25 can be found throughout the specification, e.g., on pages 13-14, and in paragraphs [58] and [60].

Support for claim 26 can be found throughout the specification, e.g., on page 16, lines 5-23.

Support for claim 27 can be found throughout the specification, e.g., on page 16, lines 7-15.

Support for claims 28 and 36 can be found throughout the specification, e.g., in paragraphs [50], [55], and [101].

Support for claim 29 and 37 can be found throughout the specification, e.g., in paragraphs [54], and [56] to [57].

Support for claim 30, can be found throughout the specification, e.g., in paragraphs [115] and [116], and in Figures 1, 2, 3, 4, 5, and 6.

Support for claims 31 and 38 can be found, e.g., in claim 20 as originally filed.

Support for claim 32 can be found throughout the specification, e.g., on page 4, line 32.

Support for claims 33-35 can be found throughout the specification, e.g., in claim 1 and 2 as originally filed and in Figures 1-5.

No new matter has been introduced by way of these amendments.

Per the election made herein and the amendment, claims 1-7, 17-19, and 22-38 are presented for examination.

Request for Refund of Excess Claims Fees Paid

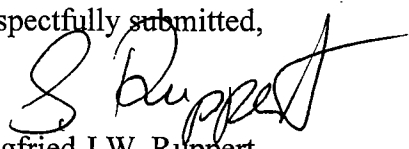
Applicants have canceled claims 8-16 and 20-21 (three (3) independent claims and eight (8) dependent claims). Applicants herewith request a refund of excess claims fees paid in the amount of \$1,030 (\$630 and \$400). (37 CFR § 1.117). Please credit Deposit Account No. 20-1430.

Payment for newly added claims 22-38 is enclosed herewith. Applicants believe that no additional fee is required. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

In view of the foregoing, Applicants believe all claims now pending in this application are in condition of allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephonic conference would expedite prosecution of this application, please telephone the undersigned at (415) 576-0200.

Respectfully submitted,



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